IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

OP.No. 3566 of 2001(Y)

PETITIONERS:
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1. **PUTHUKKUDI MUHAMMED HAJI,**
   PUTHUKKUDI HOUSE,
   PONMUNDAM.P.O., THIRUR.

2. **KUNJENDHU,**
   S/O. MUHAMMED HAJI,
   PUTHUKKUDI HOUSE,
   PONMUNDAM.P.O., THIRUR.

3. **PUTHUKKUDI ABU,**
   S/O. MUHAMMED HAJI,
   PUTHUKUDI HOUSE,
   PONMUNDAM.P.O., THIRUR.

4. **PUTHUKUDI MUHAMMED KUTTY,**
   S/O. MUHAMMED HAJI,
   PUTHUKKUDI HOUSE,
   PONMUNDAM.P.O., THIRUR.

5. **ABDUL KAREEM,**
   S/O. MUHAMMED HAJI,
   PONMUNDAM.P.O., THIRUR.

6. **SAINUDHEEN,**
   S/O. MUHAMMED HAJI,
   PUTHUKKUDI HOUSE,
   PONMUNDAM.P.O., THIRUR.

7. **BASHEER,**
   S/O. MUHAMMED HAJI,
   PUTHUKKUDI HOUSE,
   PONMUNDAM.P.O., THIRUR.

O.P. NO. 3566/2001:

8. YAKOOB,
S/O. MUHAMMED HAJI,
PUTHUKKUDI HOUSE,
PONMUNDAM.P.O., THIRUR.

BY ADV.SRI.P.K.MUHAMMED.

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE TALUK LAND BOARD,
NILAMBOOR,
REPRESENTED BY THE CHAIRMAN.

3. JACOB GEORGE,
PALLIVATHUKKAL,
NIRANATH, PERUNNA.P.O.,
CHANGANASSERY.

BY GOVT. PLEADER SRI. K.V. KANOJKUMAR.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 23/08/2007,ALONG WITH O.P NO. 3587/2001,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NOS. 5866/2001 & 5867/2001 IN O.P. NO. 3566/2001

DISMISSED

23/08/2007. **SD/- KURIAN JOSEPH, JUDGE.**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE PROCEEDINGS OF T.L.B. DTD. 27/09/1990.

EXT.P.2: COPY OF THE AUTHORISED OFFICERS REPORT DTD. 15/06/89.

EXT.P.3: COPY OF THE AUTHORISED OFFICERS REPORT DTD. 13/08/90.

EXT.P.4: COPY OF THE PROCEEDINGS NO. K. DIS. 41160/64 DTD. 02/04/65.

EXT.P.5: COPY OF THE JUDGEMENT IN C.R.RP. NO. 32/91 DTD. 06/06/97.

EXT.P.6: COPY OF THE ORDER PASSED BY THE T.L.B. ON 14/10/97.

EXT.P.7: COPY OF THE JUDGEMENT IN C.R.RP. 2127/97 DTD. 03/03/98.

EXTS.P.8.A,B,C,D,E & F: COPIES OF THE 85 (8) PETITIONS FILED BY THE PETITIONERS.

EXTS.P.9.A,B,C.D,E, & F: COPIES OF THE ADDITIONAL STATEMENTS DTD. 25/10/2000.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

O.P. NOs. 3566 & 3587 OF 2001

Dated this the 23rd day of August, 2007.

J U D G M E N T

The writ petitioners in both cases are aggrieved since their applications are not properly considered by the Taluk Land Board, but at the same time decision was already taken by the Taluk Land Board against them.

2. It is submitted that orders were passed without issuing notice to them. Hence, it is prayed that the Taluk Land Board may be directed to pass fresh orders in the matter with notice to the petitioners.

There will be a direction to the respondent-Taluk Land Board to pass orders in accordance with law on Exhibits P8 and P9 applications filed by the petitioners adverting to the contentions taken by the petitioners, with notice to them. This shall be done within a period of four months from the date of receipt of a copy of this judgment. Interim orders passed by this Court will continue till such time.

These original petitions are disposed of as above.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NOs. 3566 & 3587 OF 2001

J U D G M E N T

23.08.2007